

MARLON COLLINS  
Name

Prison Number

TO BOX 1000  
SANDSTONE, MN 55022

Address or Place of Confinement

Note: If represented by an attorney, write attorney's name, address & telephone number

## United States District Court

MR. MARLON COLLINS  
Full Name (First, Middle, Last)

Petitioner,

vs.

MR. SCOTT FISHER  
Name of Warden ~~#~~ MR. CHARLES SAMUELS, Dir.  
(or other authorized person having custody of petitioner)

Respondent.

CASE NO. 13 cv 1471 ADM/JJK  
(to be supplied by the Clerk of the  
United States District Court)

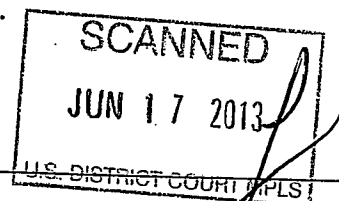
### PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241 BY A PERSON IN FEDERAL CUSTODY

PLEASE COMPLETE THE FOLLOWING (check the appropriate number):

This petition concerns:

1. \_\_\_\_\_ a conviction
2. \_\_\_\_\_ a sentence
3. \_\_\_\_\_ jail or prison conditions
4. \_\_\_\_\_ prison discipline
5. \_\_\_\_\_ a parole problem
6. XX other

**CAUTION:** If you are attacking a federal conviction, sentence or judgment, you must first file a direct appeal or motion under 28 U.S.C. § 2255 in the federal court which entered judgment.



PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241 BY A PERSON IN FEDERAL CUSTODY

## PETITION

- (1) Place of detention: FCI SANDSTONE
- (2) Name and location of court which imposed sentence: MINNESOTA USDC
- (3) Offense(s) and indictment number(s) (if known) for the sentence imposed:  
COCAINE CONSPIRACY AFTER 2 PRIOR PRE-FTA  
CRACK BASED INDICTMENT, CONVICTIONS, & SENTENCES
- (4) The date upon which sentence was imposed and the terms of the sentence:  
240+ MONTHS (OVER 20 YRS)
- (5) What was your plea (check one): Not guilty ( ) Guilty ☒ Nolo contendere ( )
- (6) Kind of trial (check one): Jury ( ) Judge only ☒
- (7) Did you appeal from the judgment of conviction or the imposition of sentence: Yes ☒ No ( )
- (8) If you did appeal, answer the following for each appeal:

FIRST APPEAL:Name of court: 8TH CIRCUIT COURT OF APPEALS

Grounds raised (list each):

- 1) Illegal crack conviction & punishment/enhancement  
 2) deprivation of constitutional right via procedure

Result/Date of result: PendingSECOND APPEAL:

Name of court: \_\_\_\_\_

Grounds raised (list each):

1) \_\_\_\_\_

2) \_\_\_\_\_

Result/Date of result: \_\_\_\_\_

GROUND FOR THIS 28 U.S.C. § 2241 PETITION

- (9) State *CONCISELY* every ground on which you claim that your sentence is being executed in an illegal manner. Summarize *briefly* the facts supporting each ground. If necessary attach additional pages behind this page.

**CAUTION:** If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.

→ GROUND ONE CRACK BASED Sentence enforcement grounds  
for 18 USC 3582(C)(1)(A) MOTION BY WARDEN / PRO P DR.  
SEE ATTACHED  
 Supporting FACTS for GROUND ONE (tell your story BRIEFLY without citing cases or law).

CAUTION: You must state facts, not conclusions, in support of your grounds. A rule of thumb to follow is -- who did exactly what to violate your rights at what time or place.

Collins asked Warden Fisher to seek reduction by recommending to the next authority in the chain to seek via 18 USC 3582(C)(1)(A) & (C)(1)(B) the reduction of Collins punishment due to the MANNER, MEANS, and ELEMENTS leading to Collins current imprisonment.

→ GROUND TWO Collins is entitled to 18 USC 3582(C)(1)(A) MOTION PER Sentencing reform Act BUT HAS IT NOT.  
SEE ATTACHED  
 Supporting FACTS for GROUND TWO (tell your story BRIEFLY without citing cases or law).

Collins asked according to statutory entitlement based in equal protection violations in protective enforcement and contrary to federal regulations Warden Fisher & PRO P has neither granted it nor provided lawful & constitutionally compliant reason not to.

### ADMINISTRATIVE APPEALS

(10) Have you presented the claims raised in Question #9 of this petition to prison officials in a prison administrations appeal?

Yes (X) No ( ) If your answer is no, explain why not: \_\_\_\_\_

If your answer is yes, answer the following for *each* administrative appeal:

#### FIRST ADMINISTRATIVE APPEAL

Level of appeal: INSTITUTION BP-8

Grounds raised (list each):

- 1) "SAME"
- 2) " "

Result/Date of result: SEE ATTACHED

#### SECOND ADMINISTRATIVE APPEAL

Level of appeal: INSTITUTION BP-9

Grounds raised (list each):

- 1) "SAME"
- 2) " "

Result/Date of result: SEE ATTACHED

THIRD ADMINISTRATIVE APPEAL

Grounds raised (list each):

Level of appeal:

Institution BP-10

1) "2) "

Result/Date of result:

see attachedFOURTH ADMINISTRATIVE APPEAL

Grounds raised (list each):

Level of appeal:

Institution BP-11

1) "2) "

Result/Date of result:

see attached

- (11) Is the grievance process completed? Yes ( ) No ( )

PREVIOUS PETITIONS

- (12) Have you filed previous petitions for habeas corpus under 28 U.S.C. § 2241 or 28 U.S.C. § 2255, or any other applications, petitions or motions with respect to the claims raised in Question #9 of this petition?

Yes (X) No ( )

- (13) If your answer to Question #13 was yes, give the following information for *each* previous petition:

FIRST PREVIOUS PETITION

Name of court:

USDC / MN

Nature of proceeding:

2255

Grounds raised (list each):

1) INEFF. ASSISTANCE of Counsel2) ILLEGALITY & Constitutional Violations

Result/Date of result:

GRANTEDSECOND PREVIOUS PETITION

Name of court:

USDC / MN & 8TH CIRCUIT

Nature of proceeding:

C.O.A. MOTIONS

Grounds raised (list each):

1) "2) "

Result/Date of result:

Pending

- (14) If the claims raised in Question #9 of this petition concern your conviction or sentence, explain why you are filing your petition pursuant to § 2241 instead of § 2255.

CONCERNS ONLY EXECUTIVE BRANCH ENFORCEMENT  
OF WARRANT OF COMMITMENT & REVIEW by THE  
VIOLATION of EQUAL PROTECTION in THEIR ENFORCEMENT  
ACTS AND FAILURE to INVESTIGATE ILLEGALITY in  
PROSECUTION ENFORCEMENT & FAILURE to SEEK  
18 USC 3582(c)(1)(A) NON MEDICAL REDUCTION DUE  
to ADMITTED EQUAL PROTECTION VIOLATION & UNREASONABLE-  
NESS

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(15) Are you presently represented by counsel?

Yes ( )

No ☒

If so, provide your attorney's name, address, and telephone number:

N/A

(16) If you are seeking leave to proceed *in forma pauperis*, have you completed the application setting forth the required information?

Yes ☒

No ( )

Note: If your answer is no, you must send a \$5.00 filing fee to the court with your petition.

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WHEREFORE, petitioner prays that the court grant petitioner relief to which he may be entitled in this proceeding.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

(Date)

5/21/2013

(Signature of Petitioner)

SS0285C1746: [Signature]

(Signature of Attorney, if any)

N/A